

Applicant or Patentee: Eddie CHEN Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27 (b)) — INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE described in

the specification filed herewith  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization  
 persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

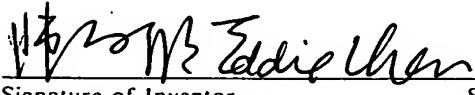
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Eddie CHEN

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR



Signature of Inventor

Signature of Inventor

Signature of Inventor

March 18, 2004

Date

Date

Date

Declaration and Power of Attorney For Patent Application  
專利申請聲明及委托書  
Chinese Language Declaration  
中文聲明

作為下述聲明者，我在此宣告：

我的住址、郵局地址和國籍均列在我名下：

我相信我是首創的、第一個和唯一的聲明者(如只列出一人姓名)或是首創的、首位共同發明者(如列出數人姓名)。我提出作為專利申請權利要求的題目如下：

如不在下面小方格中打叉則須將說明書附此：

以美國申請號碼或 PCT 國際申請號碼 \_\_\_\_\_  
立案于 \_\_\_\_\_  
修正于(如適用) \_\_\_\_\_

我在此聲明我已閱讀並理解上述說明書的內容，包括上述任何修正案所修正的權利要求。

按照聯邦法規第三十七節第一·五六條，我有責任提供支持專利權的實質性資料。

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SHOE HAVING AN UPPER MADE OF A WATERPROOF BREATHABLE LAMINATE

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_  
as United States Application Number or PCT  
International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56..

# Chinese Language Declaration

我申請享受按照美國法規三十五節第一百一十九條列出的以下任何外國專利申請書或發明者証書的外國優先權，並確認下列具有優先權申請前立案日期的、任何外國專利申請書或發明者証書。

I hereby claim foreign priority under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

NONE			是否要求優先權	
(號碼) (Number)	(國名) (Country)	(申請日/月/年) (Day/Month/Year Filed)	<input type="checkbox"/> 是 Yes	<input type="checkbox"/> 否 No
			<input type="checkbox"/> 是 Yes	<input type="checkbox"/> 否 No
			<input type="checkbox"/> 是 Yes	<input type="checkbox"/> 否 No

我申請享受按照美國法規第三十五節一百二十條列出的以下任何美國申請書的利益，如果此申請書中提出的每項權利要求的題目未按美國法規第三十五節第一百二十條第一段的要求在以前的美國申請書中披露，則我有責任按照聯邦法規第三十七節第一·五六(甲)條提供支持專利權的實質性資料，這一法規條文生效于以前申請的立案日期之後，但在美國或PCT國際申請立案日期之前。

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(申請順序號碼) (Application Serial No.)	(申請日期) (Filing Date)	(狀況) (已複專利權、申請中、取消) (patented, pending, abandoned)	(Status)

我在此聲明根據我所知而作的所有聲明都真實無誤，所有有關資料和信息的聲明也真實無誤；我還知道，按照美國法規第十八節第一千零一項，任何蓄意偽造的聲明都將受到罰款或監禁，或同時受到兩種懲罰。這類蓄意偽造的聲明將危及此申請書或任何已頒發專利的效力。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Chinese Language Declaration

### 委托書：

以列名發明者的身份，我在此指定下列律師和/或代理人執行此申請並從事與專利商標公署有關的所有業務(列出姓名和註冊號碼)：

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Please see attachment

### 回信請寄：

Send Correspondence to:

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Gray Cary Ware & Freidenrich LLP  
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East Palo Alto, CA 94303

### 直撥電話(姓名及電話號碼)

Direct Telephone Calls to: (name and telephone number)

Mr. Timothy W. Lohse 650 833 2055

第一個或唯一的發明者全名	Full name of sole or first inventor Eddie CHEN	
發明者簽字	Inventor's signature	Date
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國籍	Citizenship Taiwan	
郵局地址	Post Office Address same as residence	
第二個共同發明者全名(如有)	Full name of second joint inventor, if any	
第二個發明者簽字	Second Inventor's signature	Date
地址	Residence	
國籍	Citizenship	
郵局地址	Post Office Address	

(第三個和其他共同發明者需提供同樣資料和簽字。) (Supply similar information and signature for third and subsequent joint inventors.)

ATTACHMENT

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